

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

pro Kimberley Steele

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

WALMART Capital one Bank

COMPLAINT

Jury Trial: ☒ Yes ☐ No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Street Address

County, City

State & Zip Code

Telephone Number

Kimberley Steele
62 DeHart Place Room 9
Elizabeth
New Jersey 07202
908-220-11251

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name WALMART Capital one Bank
 Street Address PO Box 71083, 1166 Avenue of the Americas New York
 County, City Charlotte, NC
 State & Zip Code 28272 NY 10036
Att: payment processing

Defendant No. 2

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 3

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 4

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. There are four types of cases that can be heard in federal court: 1) Federal Question - Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case; 2) Diversity of Citizenship - Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case; 3) U.S. Government Plaintiff; and 4) U.S. Government Defendant.

- A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions ☒ Diversity of Citizenship
☐ U.S. Government Plaintiff ☐ U.S. Government Defendant

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

BANKRUPTCY and used the credit card cause my
SSI income is very low doesn't allow me to buy what I need
for my pets and myself each month, my govt SSI income
is an insufficient amount it is causing me financial
difficulties and hardship in repaying the credit card \$700.00 goes to my rent
remaining \$125.25 goes for myself + pets.

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship

Kimberley Steele New Jersey State

Defendant(s) state(s) of citizenship

Walmart Capital One Charlotte NC

III. Statement of Claim:

Plaintiff Bankruptcy / SSI income unable to repay credit card due to my income and which goes mostly to rent and remaining to myself and pets

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur?

Walmart online shopping

B. What date and approximate time did the events giving rise to your claim(s) occur?

July 18, 2021

What happened to you?

C. Facts: my SSI income is an insufficient amount and does not allow me to purchase what's needed for myself + pets each month. I have to withdraw money from the ATM with an overdraft fee of \$35.00 agreement usually each month zero balance in my checking at the time and repay it when my SSI income is directly deposited

Who did what?

Sick/Security Supplemental income is an insufficient amount cause me to be unable to pay what's needed for my pets and me with cash or repay credit card. Causes me financial hardship leaves me asking family or other to buy things if they can for us.

Was anyone else involved?

Just Walmart/Capital One Credit Card Wells Fargo my bank for my direct SSI income deposit

Who else saw what happened?

Just Walmart/Capital One Wells Fargo Bank for my direct SSI income deposit

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

V. Relief:

To not have to repay the credit card due to financial hardship and very low gross SSI income

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

Gross SSI income - Supplemental Security Income
I'm Asking for An order not to have to repay the credit card due to low SSI income amount which is an insufficient amount I have to pay \$700.00 for rent remaining \$125.05 for myself and my pets. to be considered. The interest plus the amount of purchase is high and any late fees included in repayment makes it more difficult to pay off. It will cause me not to be able to purchase anything needed for myself and my pet cats. I Also submitted to other debts I to your court same reason (2) personal loans.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this July day of 23, 2021.

Signature of Plaintiff Kimberley Steeli prose
Mailing Address 62 Dehart Place Room 9
Elizabeth New Jersey
Telephone Number 908-220-1081
Fax Number (if you have one) gmail.com
E-mail Address KimSteeli300@gmail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint.

Signature of Plaintiff: Kimberley Steeli prose

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
OFFICE OF THE CLERK
MARTIN LUTHER KING JR. FEDERAL BUILDING AND U.S. COURTHOUSE
50 WALNUT STREET
NEWARK, NEW JERSEY 07101

CAMDEN OFFICE
MITCHELL H. COHEN
U.S. COURTHOUSE
1 JOHN F. GERRY PLAZA
CAMDEN, NJ 08101

TRENTON OFFICE
CLARKSON S. FISHER
U.S. COURTHOUSE
402 EAST STATE STREET
ROOM 2020
TRENTON, NJ 08608

REPLY TO:

WILLIAM T. WALSH
Clerk

MOTION GUIDE

(Please note, these instructions are being provided as a guide only and you should consult the Federal Rules of Civil Procedure, as well as the Local Rules for the District of New Jersey prior to filing a Notice of Motion.)

*******Any request for court action shall be set forth in a motion, properly filed and served*******

In order to have any motion listed before the Court, it must comply with Local Civil Rules 7.1, 37.1, and/or 78.1 of this Court:

(1) At the time of filing your motion with the Court, you must also serve your motion papers on the opposing parties by serving their counsel, if so represented. You must file a certification indicating the method of service.

(2) Each Notice of Motion must have a motion date and must be filed at least 24 days prior to the motion date. **(Motion days are the first and third Monday of each month and can be found on our website at - www.njd.uscourts.gov.)**

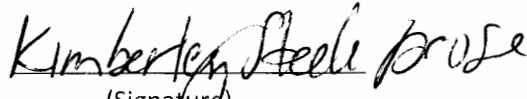
(3) A Brief must be submitted in support of each motion, **or a Statement that a Brief is not necessary and the reason therefore.** (Briefs are submitted as separate documents, and should not have affidavits, certifications, or exhibits attached.)

THE LOCAL RULES MAY BE ACCESSED AT NO CHARGE ON THE COURT'S WEBSITE
- www.njd.uscourts.gov

Helpful Hints:

- ~ All original papers submitted for consideration to the Court are to be filed with the **Clerk of this Court**. Copies of papers filed in this Court are to be served upon counsel for all other parties (or directly on any party acting pro se). Proof that service has been made is provided by a certificate of service. This certificate should be filed in the case along with the original papers and should show the day and manner of service.

Example: "I, (name), do hereby certify that a true and correct copy of the foregoing (name of pleading or other paper) has been served upon (name(s) of person(s) served) by placing the same in the U.S. Mail, properly addressed this (date) day of (month), (year)."


(Signature)

- ~ Any request for court action shall be set forth in a motion, properly filed and served. (Please see the Motion Guide included in this packet.)
- ~ No direct communication is to take place with the District Judge or United States Magistrate Judge with regard to this case. **All relevant information and papers are to be directed to the Clerk.**
- ~ The parties should notify the Clerk's office when there is an address change. Failure to do so could result in court orders or other information not being timely delivered, which could affect the parties' legal rights.